

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

6/22/06

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UNITED STATES OF AMERICA

:

FORFEITURE STIPULATION

v.

:

04 Cr. 273 (NRB)

EDDIE ROBINSON,

:

Defendant.

:

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WHEREAS, on or about March 24, 2004, Indictment 04 Cr. 273 (NRB) was filed (the "Indictment"), in which EDDIE ROBINSON, the defendant ("ROBINSON"), was charged in five counts: Count Three charged ROBINSON with conspiring to transmit wagering information by use of a wire facility and to operate an illegal gambling business, in violation of Title 18, United States Code, Section 371; Count Four charged ROBINSON with conducting, financing, managing, supervising, directing, or owning all and part of an illegal gambling business, in violation of Title 18, United States Code, Sections 1955 and 2; Counts Five and Six charged ROBINSON with transmitting wagering information, in violation of Title 18, United States Code, Sections 1084(a) and 2; and Count Seven charged ROBINSON with using an interstate facility in aid of racketeering, in violation of Title 18, United States Code, Sections 1953(a)(3) and (2);

WHEREAS, on or about March 30, 2004, ROBINSON was arrested by agents of the Federal Bureau of Investigation (the "FBI"), pursuant to an arrest warrant;

WHEREAS, at or about the time of ROBINSON's arrest, the FBI seized approximately \$99,270 in United States Currency (the "Seized Funds") from ROBINSON, based on probable cause to believe that the Seized Funds represented proceeds of ROBINSON's illegal gambling activities;

WHEREAS, on or about March 16, 2006, ROBINSON pled guilty to Counts Three and Four of the Indictment pursuant to a plea agreement dated March 7, 2006 (the "Plea Agreement"), in full satisfaction of all of the charges in the Indictment;

WHEREAS, in the Plea Agreement, ROBINSON agreed, inter alia, to forfeit to the United States all of his right, title and interest in \$74,270 of the Seized Funds;

IT IS HEREBY STIPULATED AND AGREED, by and between EDDIE ROBINSON, the defendant; his attorney, Gordon Mehler, Esq.; and the United States of America, by its attorney Michael J. Garcia, United States Attorney, Assistant United States Attorney Benjamin Lawskey; as follows:

1. ROBINSON agrees to forfeit all right, title and interest in \$74,270 of the Seized Funds (the "Forfeited Funds") and agrees that the Forfeited Funds shall be and are forfeited to the United States of America.

2. ROBINSON hereby waives, and is barred from asserting, any further claim against the United States, the FBI, the Department of Justice ("DOJ"), the United States Attorney's

Office for the Southern District of New York ("USAO-SDNY"), and the United States Marshals Service ("USMS"), or agents, officers, or employees of the United States, FBI, DOJ, USAO-SDNY, and USMS, in connection with the seizure, possession, and forfeiture of the Seized Funds, including, but not limited to, any claim that there was no probable cause to seize, possess, and forfeit the Seized Funds, any claim that he did not receive proper notice of the seizure of the Seized Funds, or for costs or attorney's fees.

3. ROBINSON further agrees to hold harmless the United States, FBI, DOJ, USAO-SDNY, and USMS, and any and all agents, officers, and employees of the United States, FBI, DOJ, USAO-SDNY, and USMS, from any and all claims arising from any acts, incidents, or occurrences in connection with the seizure, possession, and forfeiture of the Seized Funds, including but not limited to, any third-party claims of ownership of the Forfeited Funds.

4. This Forfeiture Stipulation does not supersede the Plea Agreement. In addition to the foregoing agreement to forfeit the Forfeited Funds, ROBINSON agrees that he continues to be bound by the provisions in the Plea Agreement that concern forfeiture, namely: (a) ROBINSON agrees to execute all documentation necessary to effect the forfeiture of the Forfeited Funds and their transfer to the United States; (b) ROBINSON will not assist a third party in asserting a claim to the Forfeited

Funds in an ancillary proceeding; (c) in the event that the United States files a civil action pursuant to Title 18, United States Code, Section 1955(d) and/or Title 18, United States Code, Section 981, seeking to forfeit the Forfeited Funds, ROBINSON will not file a claim with the Court or otherwise contest such a civil forfeiture action and will not assist a third party in asserting any such claim; and (d) ROBINSON will not file or assist anyone in filing a petition for remission or mitigation with the Department of Justice concerning the Forfeited Funds.

5. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one

and the same instrument and facsimile signatures shall be acceptable in lieu of original signatures.


Dated: New York, New York
June 21, 2006

SO ORDERED:


THE HONORABLE NAOMI REICE BUCHWALD
UNITED STATES DISTRICT COURT JUDGE

CONSENTED TO:

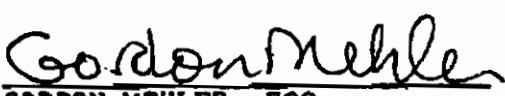
MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the United States

By: 
BENJAMIN LAWSKY
Assistant United States Attorney

DATE 6/7/06

By: 
EDDIE ROBINSON
Defendant

DATE 6/9/06

By: 
GORDON MEHLER, ESQ.
Attorney for EDDIE ROBINSON

DATE 6/12/06